



National Republican Congressional Committee

Donald F. McGahn II
General Counsel

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September 10, 2003

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2003 SEP 10 P 4:09

Lawrence H. Norton, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 5380

Dear Mr. Norton:

This responds to the complaint in the above-referenced MUR filed against the Honorable Tom DeLay. The complaint ought to be dismissed.

The complaint on its face fails to allege a violation of either the Federal Election Campaign Act of 1971, as amended ("FECA"), the Bipartisan Campaign Reform Act ("BCRA") or Commission regulations. The complaint cites no law, legal authority or the like, but instead simply recounts a telephone solicitation that invoked Mr. DeLay's name (the complaint does not allege that Mr. DeLay himself placed or was otherwise personally involved in a telephone call). Ultimately, the complaint merely alleges that "Mr. DeLay has exceeded reasonable bounds of fundraising." Even if this allegation is somehow true, it does not constitute a violation of FECA, BCRA or Commission regulations.

Thank you for your attention to this matter.

Respectfully submitted,

Donald F. McGahn II

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